

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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HC2, INC.,	:	
	:	Civil Action No.: 1:20-cv-3178 (LJL)
Plaintiff,	:	
	:	
	:	
-v-	:	
	:	
	:	
ANDREW DELANEY,	:	
	:	
Defendant.	:	
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DECLARATION OF RONALD R. ROSSI

I, Ronald R. Rossi, declare:

1. I am a partner of the law firm of Kasowitz Benson Torres LLP, attorneys for plaintiff HC2, Inc. ("HC2"). I am fully familiar with the pleadings in this matter and, unless otherwise indicated, I have personal knowledge of the facts herein.

2. I submit this declaration in support of HC2's Application for a Temporary Restraining Order and Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure (the "Application").

3. Pursuant to the Court's May 20, 2020 Order (ECF No. 41), counsel for the parties met and conferred on May 21 regarding their submissions. Plaintiff agreed to be responsible for filing the excerpts of the depositions identified by both parties for Submission to the Court. The parties exchanged the page numbers of the transcripts that each sought to submit prior to 10:00 a.m. on May 22. By agreement, each party could designate all or portions of a transcript excerpt as "confidential" for the purposes of filing under seal, and the parties agreed that Plaintiff would

then file the transcript excerpts in redacted form as requested, with the parties reserving argument with respect to the appropriateness of any redaction for oral argument.

4. Attached as Exhibit A is the compendium of excerpts from the deposition transcript of Stephanos Zannikos, dated to May 19, 2020, that were designated for use by Plaintiff and Defendant.

5. Attached as Exhibit B is the compendium of excerpts from the deposition transcript of Michael R. Heyison, dated May 18, 2020, that were designated for use by Plaintiff and Defendant.

6. Because Defendant did not interpose Plaintiff's requests for admission in his responses, request No. 8 in Plaintiff's First Set of Requests for Admissions to Defendant Andrew Delaney asked Defendant to "[a]dmit that You are the plaintiff in the Florida Action." Attached as Exhibit C is a true and correct copy of Defendants' Response to Request for Admissions, served May 13, 2020, in which Defendant admits that he is the plaintiff in the Florida Action.

7. Attached as Exhibit D is a copy of an email from Andrew Delaney to me, dated April 22, 2020.

8. I declare under penalty of perjury that the above is true and correct.

Executed this 22nd day of May 2020 in Bedford, New York

/s/ Ronald R. Rossi
RONALD R. ROSSI